



Mark Johnson
State Representative

Chair Abrams, Vice-Chair Williams, Ranking Member Brown, and members of the House Criminal Justice Committee, good afternoon and thank you for the opportunity to present sponsor testimony on HB 429.

According to the [Ohio State Highway Patrol](#), there have been 930 crashes in Ohio work zones just since January 1st, 2024. Among these crashes, 4 involved fatalities and 16 of involved very serious injuries.¹ According to an article from the [Vindicator](#) published in April, 43 ODOT crews have been struck while working this year.² It is almost certain that most of these incidents were easily preventable.

Road workers are dedicated, safety-minded individuals, and are often asked to work in sub-optimal conditions such as in the dark, on exceptionally busy roads, or during inclement weather. However, no amount of safety training can prepare a worker for a driver who, out of ignorance or recklessness, ignores safety procedures in a work zone. Simply put, the reckless driving incidents that occur in work zones are outside the control of the workers on site.

In the same Vindicator article as before, ODOT Highway Technician Jason Barthol is quoted saying: "I have two kids at home and a wife. My daughter's 16, my son's 10. They both depend on me to come home safe. Every night, every worker in every zone has a family that they want to go home to. Each one of those workers has a story."

In the aftermath of Josh Bishop's tragic passing, Wright Construction, which operates in both Pennsylvania and Ohio, lobbied the Pennsylvania Senate to introduce PA SB 614 in order to add greater protections for roadside workers and crack down on tragic, preventable accidents. Shortly thereafter, as a part of the same effort, I was approached by my joint sponsor, Wright, and the Ohio Chapter of the American Traffic Safety Services Association to introduce HB 429. These professionals have seen first-hand the constant danger that road workers operate under, and in the coming weeks you will hear them testify to that.

To greater ensure the safety of Ohio's road workers, this legislation requires that Ohio's driver's education curriculum include instruction on safe driving in work zones, allows private contractors to install speed monitoring devices in work zones with proper permission, and establishes a framework of preventative, enhanced penalties for a variety of underlying traffic offenses occurring in active work zones.

¹ <https://statepatrol.ohio.gov/dashboards-statistics/ostats-dashboards/crash-dashboard#gsc.tab=0>

² <https://www.vindy.com/news/local-news/2024/04/road-work-yields-danger-as-construction-season-begins-in-valley/>

Current law in Ohio simply doubles fines for traffic penalties which occur in work zones. For reference, a driver with no prior infractions may be fined up to \$150 for speeding, and thus up to \$300 for speeding in a work zone. The enhanced penalties under the bill are to be leveraged on top of the existing penalties, so a driver with no prior infractions caught speeding in a work zone would be fined up to \$150 on top of the \$400 proposed by the bill. Accordingly, for offenses committed in an active work zone, the following penalties are prescribed:

- **1st Infraction:**
 - 2 points on the offender's license
 - \$400 fine
 - Mandatory completion of a ODOT Driver Safety Course
- **2nd Infraction:**
 - 90-day driver's license suspension
 - \$800 fine
 - Mandatory completion of a ODOT Driver Safety Course
- **3rd Infraction**
 - 1-year driver's license suspension
 - \$1200 fine
 - Mandatory completion of a ODOT Driver Safety Course

Lastly, committee members should know that my joint sponsor and I have consulted with a variety of interested parties on this bill, including the Ohio Chapter of the American Traffic Safety Services Association, Wright Construction, the Ohio Contractors Association, Ohio State Highway Patrol, and others. Next week we will be conducting an Interested Party meeting with those and many others to gain input on this language and ensure that it is the best it can be for Ohio's drivers and road workers, and we are committed to making whatever changes are necessary in order to do so.

Thank you very much for your time and attention to this life-saving bill, we would be happy to answer any questions from the committee.